

1905-010
Lee Co.

Chancery Causes: Adm. of Henry J. Morgan vs. Oliver P. Livesay &

Pennington

CA-Debt

To the Hon. H. A. W. Skeen, Judge of the Circuit Court for Lee County, Virginia.

Humbly complaining, your orator, Robert L. Pennington, administrator of the estate of Henry J. Morgan, deceased, would respectfully represent and show unto your honor, that at the _____ term, 1905, of your honor's court he obtained a judgment at law against Oliver P. Livesay and Nancy E. Livesay, survivors of themselves and S. S. Surgener, for the sum of Four Hundred Dollars, with interest from July 10th, 1904, and \$8.25 cost at law, and \$1.83 cost in chancery. Which sum is subject to a credit of \$108.73 as of December 8th, 1905. And your orator respectfully charges that the remainder of said judgment as aforesaid for said amount as aforesaid is still due and unpaid.

Your orator would further represent and show unto your honor that the said Nancy E. Livesay and Oliver P. Livesay are the owners of a certain tract of land situated in Lee County, Virginia, on Blackwater, and being the same land conveyed to them by S. S. Surgener, deceased and fully described in exhibits "A" and "B" here filed as part of this bill.

Your orator would further represent and show unto your honor that the said tract of land is subject to another lien in favor of A. J. Baker by reason of a deed of trust executed to L. T. Hyatt, Trustee, and to secure the payment of the sum of \$5.00 with interest thereon as shown by a copy of said deed of trust herewith filed as part of this bill marked, exhibit "C".

Your orator would further represent and show unto your honor that said tract of land will not rent for a sum sufficient in five years to pay said judgment lien as aforesaid exclusive of the said deed of trust, and he further alleges that the said deed of trust lien and your orator's said judgment lien are the only liens against the said tract of land. The premises considered, your orator is advised that he has a right to enforce the said lien as aforesaid, and to this end he prays that the said Nancy E. Livesay and Oliver P. Livesay

A. J., Baker and L. T. Hatt be made parties defendant to this bill of complaint, and be required to answer the same, but not under oath answer under oath veing expressly waived; that upon a hearing a decree be rendered directing a sale of said tract of land, or so much thereof as may be necessary to pay the liens against the same, And may all other, further and general relief be granted your orator that the nature of his cause and good conscinece requires. And he will ever pray &c.

Sumner Pro p. y.

Costs to Rules-

Clkx \$4.38
Shff. 2.00
Atty. 15.00
\$21.38

Robt A. Pennington

vs. Bice in Chancery

A. L. Levison, Ex. Ad.
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W. H. Pennington Allen

vs.  $\frac{3}{4}$  In Chancery

O. P. Levison et al

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